

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JONATHAN RODEN,

Plaintiff

v.

Case No. 2:16-CV-11208

District Judge Victoria A. Roberts

Magistrate Judge Anthony P. Patti

MICHELLE FLOYD,
RICHARD CADY, SHAWN
BREWER, and JAMES ROTH,

Defendants.

**ORDER GRANTING PLAINTIFF'S MOTION TO MODIFY CASE
MANAGEMENT ORDER AND SET MATTER FOR TRIAL (DE 63) AND
ENTERING A PARTIAL SCHEDULING ORDER**

This matter came before the Court for consideration of Plaintiff's motion to modify case management order and set matter for trial. (DE 63.) Plaintiff's motion is **GRANTED** and the following scheduling order is entered:

This case is exempt from Federal Rule of Civil Procedure initial disclosures and discovery conference requirements set forth in Rules 26(a)(1) and 26(f). *See* Fed. R. Civ. P. 26(a)(1)(B)(iv) and 26(f)(1).

- 1. DISCOVERY:** Discovery may proceed and must be completed on or before **JANUARY 9, 2019**. Depositions of any persons who are incarcerated may proceed on such terms and conditions as the institution shall impose, although court reporters are to be permitted to bring in any necessary

stenographic equipment and counsel are permitted to bring in any necessary file materials, notepads and writing implements. The Court advises the parties that the discovery completion date requires that discovery requests be made sufficiently in advance to permit timely response within the discovery period. The Court further advises that motions relating to discovery, if any, shall be filed within the discovery period unless it is impossible or impracticable to do so.

2. **SETTLEMENT CONFERENCE:** A settlement conference is scheduled for **January 31, 2019 at 2:00 p.m.** Plaintiff is to appear by video and Defendants and their counsel are to appear IN PERSON. The parties must submit a confidential, *ex parte* settlement statement directly to my chambers on or before **January 24, 2019**, and follow the requirements for such a statement as set forth in my practice guidelines regarding Settlement Conferences (a copy of which are attached). The parties are otherwise excused from the “meet and confer” requirements in my practice guidelines regarding settlement conferences. **Plaintiff is directed to indicate on the settlement statement and on the mailing envelope the following: “Ex parte settlement communication to be delivered directly to the chambers of Magistrate Judge Anthony P. Patti. NOT to be filed on the docket.”**

3. The remaining pretrial and trial dates will be set forth in a separate order.

Throughout the litigation process, the parties are required to follow the Federal Rules of Civil Procedure and the Eastern District of Michigan Local Rules, which can be accessed, along with additional help for *pro se* litigants, at <https://www.mied.uscourts.gov/index.cfm?pageFunction=proSe>. In addition, the parties must refer to and follow my practice guidelines, available at <https://www.mied.uscourts.gov/index.cfm?pageFunction=chambers&judgeid=51>.

In particular, I direct the parties' attention to the practice guidelines titled "Discovery" and "Motion Practice."

SPECIAL INSTRUCTIONS FOR *PRO SE* LITIGANTS

All parties, regardless of whether they are represented by counsel, are expected to abide by the rules and guidelines identified above. No one in the Courthouse can provide you with legal advice, including Judge Patti, his staff, Clerk's Office staff, or another party's attorney. If you need the assistance of any attorney, you must retain one on your own. There is a federal *pro se* legal assistance clinic operated in the Courthouse by the University of Detroit-Mercy Law School. To determine if you are eligible for assistance, you may contact the Federal *Pro Se* Legal Assistance Clinic at (313) 234-2690 or at proseclinic@udmercy.edu.

IT IS SO ORDERED.

Dated: November 13, 2018

s/*Anthony P. Patti*

Anthony P. Patti
UNITED STATES MAGISTRATE JUDGE

Certificate of Service

I hereby certify that a copy of the foregoing document was sent to parties of record on November 13, 2018, electronically and/or by U.S. Mail.

s/Michael Williams

Case Manager for the
Honorable Anthony P. Patti